

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 07-201 (MJD/FLN)

| | | |
|------------------------------|---|-------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| PLAINTIFF, |) | |
| |) | |
| v. |) | PRELIMINARY ORDER |
| |) | OF FORFEITURE |
| 2. JUAN LUIS FARIAS-MENDOZA, |) | |
| |) | |
| 3. ODILON DELGADO-MEZA, |) | |
| |) | |
| DEFENDANTS. |) | |

Based on the United States' motion for a Preliminary Order of Forfeiture; on the Plea Agreements entered into between the United States and Defendants Odilon Delgado-Meza and Juan Luis Farias-Mendoza; on the Court having found that certain property is subject to forfeiture pursuant to 21 U.S.C. § 853(a); and on the Court's determination that, based on the Plea Agreements entered into by the defendants and based on all of the files and records of this proceeding, the government has established the requisite nexus between such property and the offense to which the defendants have pled guilty,

IT IS HEREBY ORDERED that:

1. the following property is forfeited to the United States pursuant to 21 U.S.C. § 853(a):

- a. \$16,900.00 in United States currency seized on May 14, 2007; and
- b. \$5,770.00 in United States currency seized on May 14, 2007.

2. the Attorney General or his authorized designee may seize the foregoing property and maintain custody and control of the property pending the entry of a Final Order of Forfeiture;

3. the United States shall, pursuant to 21 U.S.C. § 853(n)(1), publish and give notice of this Order and its intent to dispose of the foregoing property in such manner as the Attorney General may direct;

4. pursuant to Fed.R.Crim.P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to defendants Odilon Delgado-Meza and Juan Luis Farias-Mendoza at the time of their respective sentencings, and shall be made a part of their sentences and included in the judgments;

5. following the Court's disposition of all petitions filed pursuant to 21 U.S.C. § 853(n)(2) or, if no petitions are filed, following the expiration of the time period specified within which to file such petitions, the United States shall have clear title to the foregoing property; and

6. the Court shall retain jurisdiction to enforce this Order, and to amend it as necessary pursuant to Fed.R.Crim.P. 32.2(e).

Dated: February 28, 2008

s / Michael J. Davis
MICHAEL J. DAVIS, Judge
United States District Court